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Agenda item 95

Establishment of a nuclear-weapon-free zone in the region of the Middle East

Report of the First Committee

Rapporteur: Mr. Martin **Ngundze** (South Africa)

I. Introduction

1. The item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" was included in the provisional agenda of the seventy-second session of the General Assembly in accordance with Assembly resolution 71/29 of 5 December 2016.

2. At its 2nd plenary meeting, on 15 September 2017, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 1st meeting, on 28 September 2017, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 52 (b) and 90 to 106. At its 2nd to 9th meetings, from 2 to 6 and on 9 and 10 October, the Committee held a general debate on those items. At its 9th meeting, on 10 October, the Committee had an exchange with the High Representative for Disarmament Affairs on the follow-up to resolutions and decisions adopted by the Committee at previous sessions and the presentation of reports. At its 10th meeting, on 11 October, the Committee had an exchange with the High Representative for Disarmament Affairs and other high-level officials in the field of arms control and disarmament. The Committee also held 14 meetings (10th to 23rd), from 11 to 13, from 16 to 18, on 20 and from 23 to 26 October, for thematic discussions and panel exchanges with independent experts. At those meetings, as well as during the action phase, draft resolutions were introduced and

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considered. The Committee took action on all draft resolutions and decisions at its 24th to 28th meetings, on 27, 30 and 31 October and on 1 and 2 November.[1]

4. For its consideration of the item, the Committee had before it the report of the Secretary-General on the establishment of a nuclear-weapon-free zone in the region of the Middle East (A/72/340 (Part I) and (Part II).

II. Consideration of draft resolution A/C.1/72/L.1

5. On 29 September, the representative of Egypt submitted a draft resolution entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East" (A/C.1/72/L.1).

6. At its 24th meeting, on 27 October, the Committee adopted draft resolution A/C.1/72/L.1 without a vote (see para. 7).

[1] For an account of the Committee's discussion of the item, see A/C.1/72/PV.2, A/C.1/72/PV.3, A/C.1/72/PV.4, A/C.1/72/PV.5, A/C.1/72/PV.6, A/C.1/72/PV.7, A/C.1/72/PV.8, A/C.1/72/PV.9, A/C.1/72/PV.10, A/C.1/72/PV.11, A/C.1/72/PV.12, A/C.1/72/PV.13, A/C.1/72/PV.14, A/C.1/72/PV.15, A/C.1/72/PV.16, A/C.1/72/PV.17, A/C.1/72/PV.18, A/C.1/72/PV.19, A/C.1/72/PV.20, A/C.1/72/PV.21, A/C.1/72/PV.22, A/C.1/72/PV.23, A/C.1/72/PV.24, A/C.1/72/PV.25, A/C.1/72/PV.26, A/C.1/72/PV.27 and A/C.1/72/PV.28.

III. Recommendation of the First Committee

7. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Establishment of a nuclear-weapon-free zone in the region of the Middle East

The General Assembly,

Recalling its resolutions 3263 (XXIX) of 9 December 1974, 3474 (XXX) of 11 December 1975, 31/71 of 10 December 1976, 32/82 of 12 December 1977, 33/64 of 14 December 1978, 34/77 of 11 December 1979, 35/147 of 12 December 1980, 36/87 A and B of 9 December 1981, 37/75 of 9 December 1982, 38/64 of 15 December 1983, 39/54 of 12 December 1984, 40/82 of 12 December 1985, 41/48 of 3 December 1986, 42/28 of 30 November 1987, 43/65 of 7 December 1988, 44/108 of 15 December 1989, 45/52 of 4 December 1990, 46/30 of 6 December 1991, 47/48 of 9 December 1992, 48/71 of 16 December 1993, 49/71 of 15 December 1994, 50/66 of 12 December 1995, 51/41 of 10 December 1996, 52/34 of 9 December 1997, 53/74 of 4 December 1998, 54/51 of 1 December 1999, 55/30 of 20 November 2000, 56/21 of 29 November 2001, 57/55 of 22 November 2002, 58/34 of 8 December 2003, 59/63 of 3 December 2004, 60/52 of 8 December 2005, 61/56 of 6 December 2006, 62/18 of 5 December 2007, 63/38 of 2 December 2008, 64/26 of 2 December 2009, 65/42 of 8 December 2010, 66/25 of 2 December 2011, 67/28 of 3 December 2012, 68/27 of 5 December 2013, 69/29 of 2 December 2014, 70/24 of 7 December 2015 and 71/29 of 5 December 2016 on the establishment of a nuclear-weapon-free zone in the region of the Middle East,

Recalling also the recommendations for the establishment of a nuclear-weapon-free zone in the region of the Middle East consistent with paragraphs 60 to 63, and in particular paragraph 63 (*d*), of the Final Document of the Tenth Special Session of the General Assembly,[1]

Emphasizing the basic provisions of the above-mentioned resolutions, in which all parties directly concerned are called upon to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East and, pending and during the establishment of such a zone, to declare solemnly that they will refrain, on a reciprocal basis, from producing, acquiring or in any other way possessing nuclear weapons and nuclear explosive devices and from permitting the stationing of nuclear weapons on their territory by any third party, to agree to place their nuclear facilities under International Atomic Energy Agency safeguards and to declare their support for the establishment of the zone and to deposit such declarations with the Security Council for consideration, as appropriate,

Reaffirming the inalienable right of all States to acquire and develop nuclear energy for peaceful purposes,

Emphasizing the need for appropriate measures on the question of the prohibition of military attacks on nuclear facilities,

Bearing in mind the consensus reached by the General Assembly since its thirty-fifth session that the establishment of a nuclear-weapon-free zone in the region of the Middle East would greatly enhance international peace and security,

[1] Resolution S-10/2.

Desirous of building on that consensus so that substantial progress can be made towards establishing a nuclear-weapon-free zone in the region of the Middle East,

Welcoming all initiatives leading to general and complete disarmament, including in the region of the Middle East, and in particular on the establishment therein of a zone free of weapons of mass destruction, including nuclear weapons,

Noting the peace negotiations in the Middle East, which should be of a comprehensive nature and represent an appropriate framework for the peaceful settlement of contentious issues in the region,

Recognizing the importance of credible regional security, including the establishment of a mutually verifiable nuclear-weapon-free zone,

Emphasizing the essential role of the United Nations in the establishment of a mutually verifiable nuclear-weapon-free zone,

Having examined the report of the Secretary-General on the implementation of resolution 71/29,[2]

1. *Urges* all parties directly concerned seriously to consider taking the practical and urgent steps required for the implementation of the proposal to establish a nuclear-weapon-free zone in the region of the Middle East in accordance with the relevant resolutions of the General Assembly, and, as a means of promoting this objective, invites the countries concerned to adhere to the Treaty on the Non-Proliferation of Nuclear Weapons;[3]

2. *Calls upon* all countries of the region that have not yet done so, pending the establishment of the zone, to agree to place all their nuclear activities under International Atomic Energy Agency safeguards;

3. *Takes note* of resolution GC(61)/RES/14, adopted on 21 September 2017 by the General Conference of the International Atomic Energy Agency at its sixty-first regular session, concerning the application of Agency safeguards in the Middle East;

4. *Notes* the importance of the ongoing bilateral Middle East peace negotiations and the activities of the multilateral Working Group on Arms Control and Regional Security in promoting mutual confidence and security in the Middle East, including the establishment of a nuclear-weapon-free zone;

5. *Invites* all countries of the region, pending the establishment of a nuclear-weapon-free zone in the region of the Middle East, to declare their support for establishing such a zone, consistent with paragraph 63 (*d*) of the Final Document of the Tenth Special Session of the General Assembly,[1] and to deposit those declarations with the Security Council;

6. *Also invites* those countries, pending the establishment of the zone, not to develop, produce, test or otherwise acquire nuclear weapons or permit the stationing on their territories or territories under their control, of nuclear weapons or nuclear explosive devices;

7. *Invites* the nuclear-weapon States and all other States to render their assistance in the establishment of the zone and at the same time to refrain from any action that runs counter to both the letter and the spirit of the present resolution;

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[2] A/72/340 (Part I).

[3] United Nations, *Treaty Series*, vol. 729, No. 10485.

8. *Takes note* of the report of the Secretary-General on the implementation of resolution 71/29;[2]

9. *Invites* all parties to consider the appropriate means that may contribute towards the goal of general and complete disarmament and the establishment of a zone free of weapons of mass destruction in the region of the Middle East;

10. *Requests* the Secretary-General to continue to pursue consultations with the States of the region and other concerned States, in accordance with paragraph 7 of resolution 46/30 and taking into account the evolving situation in the region, and to seek from those States their views on the measures outlined in chapters III and IV of the study annexed to the report of the Secretary-General of 10 October 1990[4] or other relevant measures, in order to move towards the establishment of a nuclear-weapon-free zone in the region of the Middle East;

11. *Also requests* the Secretary-General to submit to the General Assembly at its seventy-third session a report on the implementation of the present resolution;

12. *Decides* to include in the provisional agenda of its seventy-third session the item entitled "Establishment of a nuclear-weapon-free zone in the region of the Middle East".

[4] A/45/435.